

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

JAMES E. JENNINGS,)	
)	
Plaintiff,)	
)	
v.)	3:14-cv-74-WGH-RLY
)	
AMERICAN FAMILY INSURANCE, A/K/A)	
AMERICAN FAMILY INSURANCE GROUP,)	
AMERICAN FAMILY MUTUAL INSURANCE)	
COMPANY, AMERICAN FAMILY LIFE)	
INSURANCE COMPANY, AND AMERICAN)	
STANDARD INSURANCE COMPANY)	
OF WISCONSIN,)	
)	
Defendants.)	

**ORDER DENYING MOTION
FOR JUDGMENT ON THE PLEADINGS,
BUT ESTABLISHING A LIMITED DISCOVERY SCHEDULE**

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on Defendants' Motion for Judgment on the Pleadings filed July 25, 2014. (Dkts. 10-11.) Plaintiff filed his Response in Opposition on September 17, 2014. (Dkt. 24.) Defendants' Reply in Support was filed on September 25, 2014. (Dkt. 25.)

The Magistrate Judge, being duly advised, **DENIES** the motion.

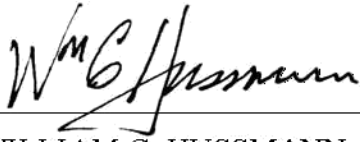
While the Magistrate Judge is denying the motion, he believes it is prudent to limit any discovery at this time to the issue of whether Plaintiff was an independent contractor. To that end, discovery in this case will be limited

at this time. Plaintiff may, if necessary, serve one brief set of interrogatories (presumably less than ten interrogatories), one request for production of documents (presumably less than ten requests), and conduct one deposition under Fed. R. Civ. P. 30(b)(6) not to exceed four hours. The deposition is limited to the issue of whether Plaintiff was an employee or an independent contractor.

In lieu of a summary judgment motion on this issue, the Magistrate Judge will make findings of fact and conclusions of law at a **HEARING** hereby set on **THURSDAY, JANUARY 15, 2015**, at 9:00 a.m., Evansville time (CST), in Room 335, Federal Building, Evansville, Indiana. Counsel shall appear in person at this hearing and shall be prepared to present all necessary admissible evidence on the issue of whether Plaintiff was an employee or an independent contractor. The parties should also be prepared to enter into a negotiated resolution of the case, if feasible at that time.

SO ORDERED.

Dated: October 30, 2014



WILLIAM G. HUSSMANN, JR.
Magistrate Judge

Served electronically on all ECF-registered counsel via email.